

Notice of Allowability

Application No.

10/026,091

Examiner

Marie R. Yamnitzky

Applicant(s)

FORREST ET AL.

Art Unit

1774

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment received 03 June 2004.
2. ☒ The allowed claim(s) is/are 75-109 (renumbered as 1-35, respectively).
3. ☒ The drawings filed on 21 December 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 08032004.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Art Unit: 1774

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for the examiner's amendment to claim 91 was given in a telephone interview with John McGroarty on August 03, 2004. The amendment to the specification, which updates the parent application status and corrects a spelling error, was not discussed during the interview.

This examiner's amendment also adds a claim listing and status identifiers for claims 1-74. Subsequent to the telephone interview on August 3rd, it was brought to the examiner's attention that the amendment received June 03, 2004 does not comply with 37 CFR 1.121 because claims 1-74 and their status identifier(s) are not listed in the amendment. This examiner's amendment corrects that error in format. John McGroarty was telephonically notified of the error and the correction on August 12, 2004.

Art Unit: 1774

In the AMENDMENTS TO THE CLAIMS section of the amendment received June 03, 2004, the following has been inserted between the heading and the beginning of claim 75:

Claims 1-74. (Canceled)

Claim 91 has been amended as follows:

Claim 91. (Currently Amended) The device of claim 88, wherein the conductive layer is a part of the first organic subcell, and the conductive layer is a part of the second organic subcell.

Pages 1 and 7 of the specification have been amended as follows:

In the amendment received February 15, 2002, a cross-reference to the parent application was added to page 1, line 3 of the specification. On page 1, the two lines following the heading "CROSS-REFERENCE TO RELATED APPLICATION" have been amended as follows:

This application is a continuation of co-pending Patent Application No. 09/136,342, filed August 19, 1998, now U.S. Patent No. 6,352,777.

Page 7, line 25: "polyaniline" has been changed to --polyaniline--.

Art Unit: 1774

The amendment filed June 03, 2004 overcomes the prior art rejections set forth in the Office action mailed March 03, 2004.

In the amendment filed June 3rd, the status identifier for claim 91 is “previously presented” and no changes are indicated in the claim language, but the language “, and the conductive layer is a part of the second organic subcell” has been deleted. The deleted claim language appeared in the prior version of claim 91, filed December 22, 2003. The deleted claim language is reinserted by this examiner’s amendment.

Any inquiry concerning this communication should be directed to Marie R. Yamnitzky at telephone number (571) 272-1531. The examiner works a flexible schedule but can generally be reached at this number from 6:30 a.m. to 4:00 p.m. Monday, Tuesday, Thursday and Friday, and every other Wednesday from 6:30 a.m. to 3:00 p.m.

The current fax number for Art Unit 1774 is (703) 872-9306 for all official faxes. (Unofficial faxes to be sent directly to examiner Yamnitzky can be sent to (571) 273-1531.)

MRY
August 12, 2004



**MARIE YAMNITZKY
PRIMARY EXAMINER**

1774